



Austin City Council MINUTES

For AUGUST 2, 1990

file

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

1. Approved Minutes for Regular Meeting of July 26, 1990

On Councilmember Epstein's motion, Councilmember Nofziger's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

1:00 P.M.- CITIZEN COMMUNICATIONS

2. Mr. Ronny Mack discussed cable television issues and their impact on public access television in Austin. (Speech #3 of 4)
3. Ms. Sue Schorer addressed current City issues.
4. Mr. Lance Winters addressed personnel issues.
5. Ms. Connie Pardo did not speak.
6. Ms. Maria Rocha discussed personnel policies.
7. Ms. Carol Guthrie did not speak.
8. Ms. Judy Danielson discussed Barton Creek.
9. Ms. Barbara Hankins discussed results of State Auditor's Office Indigent Health Care Audit.
10. Mr. Glen Rosales discussed donation of a 15 passenger van by the Conley-Guerrero Activity Center.
11. Mr. Eric Anderson discussed internal City affairs.

BOARD AND COMMISSION REPORTS

12. Austin/Travis County HIV Commission - Status Report

The report was presented to Council by Christine Aubrey.

ORDINANCES

13. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 12002 N. Lamar Blvd., as follows: Zoning from "SF-2", Family Residence District to "W/LO", Warehouse/Limited Office, district NCNB-TEXAS NATIONAL BANK. First reading on May 10, 1990; Vote 6-0, Councilmember Michael "Max" Nofziger out of room. Conditions Met as Follows: Alternate landscape requirements have been met.

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

14. Approve second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning 11,000 square feet of the property locally known as 2531 West Anderson Lane, Zoning Case C14-90-0006, from "GR" Community Commercial, to "CS-1", Commercial Liquor Sales, J. HARRIS, INC. First reading on May 10, 1990; Vote 4-1, Councilmember Smoot Carl-Mitchell voted "NO", and Mayor Lee Cooke and Mayor Pro Tem Sally Shipman were out of the room.

Postponed to August 16, 1990, on Councilmember Epstein's motion, Mayor Pro Tem Urdy's second, 5-0 Vote, Mayor Cooke and Councilmember Barnstone out of the room.

15. Approved second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 1400 West Koenig Lane, Zoning Case No. C14-90-0016, from LR, Neighborhood Commercial to GR-CO, Community Commercial-Conditional Overlay, Whiteside Motors, Inc., Owner; Anne S. Wynne, Agent. First reading on June 28, 1990, 6-1 vote with Councilmember Carl-Mitchell voting no. Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporate conditions imposed by Council; street deed satisfying right-of-way dedication has been executed. Emergency Passage of Ordinance

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

16. Approved an amendment to the 1989-90 Operating Budget for the Health & Human Services Department by increasing the number of County Health positions converted to City PTEs from 23 to 30 (No net effect on the General Fund).

On Mayor Pro Tem Urdy's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Barnstone out of the room.

17. Approve a request by Northwest Austin MUD #1 (Canyon Creek) for an additional 564 LUEs through the existing out-of-district wastewater service agreement from Northwest Travis County MUD #1.

Postponed to August 16, 1990.

40. (Addendum) Approved adoption of an Ordinance which will allow the reallocation of Electric Utility Distribution Funds to the Utility Billing System Project for the purchase of capital equipment.

41. Amended the 1989-90 General Operating Budget by adding sixteen additional full-time employees (FTES) to the Information Systems Department.

42. Amended the 1989-90 General Fund Operating Budget by adding twenty-five Customer

Service Representatives as new FTE'S to the Utility Customer Service Office.

Councilmember Carl-Mitchell made a motion, seconded by Mayor Cooke to "approve these items (40, 41 and 42) but as part of Item 40, that we go ahead and approve the authorization of funds so staff can proceed with writing and getting bid specs out for the hardware upgrade; and have monthly progress reports presented before we place any of these items on the agenda for our approval of the contract and whenever we are doing upgrades, I want to see them and justification for them and have a complete review of that before we do the hardware upgrade". Motion passed by a vote of 7-0.

RESOLUTIONS

18. Approved a License Agreement to allow the encroachment of the parking lot into Red River Street right of way (4100-4200 Red River Street). [Request submitted by Craig C. Cregar on behalf of the Interstate Equities, Inc. - The required annual application fee of \$1,285.00 has been paid.]
19. Approved a License Agreement to allow pavers in the median at Braker Lane Extension between U.S. Highway 183 and Jollyville Road. (Request submitted by Thomas J. Terkel, Sr. Vice-President on behalf of SWC Braker/183, LTD. - \$250.00 application fee has been paid.)

#18 & 19 on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

20. Approve a construction contract award to AMERICAN CONSTRUCTORS, INC., 315 Nueces, Austin, Texas, for 450 drilled piers and a concrete foundation retaining wall for the Convention Center, in the amount of \$1,127,000.00. (Funding provided through C.I.P. Project No. 493-827-1000 from Convention Center Bonds). Low bid of seven (7) bids. 17.9% MBE, 5.2% WBE Subcontractor participation. C.I.P Project No. 493-827-1000.

Postponed to August 9, 1990.

21. Authorized a construction contract award to SPECTRUM ENVIRONMENTAL CONTRACTORS, INC., P.O. Box 27590, Austin, Texas, for reconstruction of the Dougherty Arts Center Phase I, in the amount of \$80,953.17. (Funding provided by Factory Mutual Engineering. Council approved reappropriation of \$100,000.00 for the insurance deductible on December 14, 1989). 0% M/WBE Subcontractor Participation. Prime identified two (2) areas of subcontracting opportunities. However, there were no known certified M/WBE subcontractors available.

On Councilmember Epstein's motion, Councilmember Nofziger's second, 5-0 Vote, Councilmembers Barnstone and Carl-Mitchell out of the room.

22. Adopt revised City of Austin Personnel Policies.

Postponed to August 30, 1990.

23. Approved execution of four (4) contracts for a total estimated amount not to

exceed \$22,500.00 each, for a total estimated amount not to exceed \$90,000.00 for energy conservation training and services in the Conservation Business Development Program to: Calibrated Resources Inc., Tims Construction-Signs and Barricades, Environmental Management Services, and Valdez Remodeling Inc. All four recommended contractors are certified MBEs. Reference File No. 900-5463-RW.

24. Approved execution of five (5) contracts for a total estimated amount not to exceed \$108,000.00 each, for a total estimated amount not to exceed \$540,000.00 for Weatherization Assistance for low income Austin residents to: Payton and Associates (certified MBE), Conservation Enterprises of Texas (no subcontracting opportunities), Weatherite of Austin (certified MBE), Tims Construction - Signs and Barricades (certified MBE), and Valdez Remodeling (certified M/WBE). Reference File No. 990-0696-RW.

¶ 23 and 24 on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

25. Approve selection of professional engineering services Southwest B (SWB) Camp Ben McCullough Transmission Main CIP No. 375-227-0871.

Pulled off the agenda.

26. Set a public hearing on Ordinance amending the Mechanical Code relating to the Uniform Mechanical Code and local amendments. Date and time: August 30, 1990 at 3:00 p.m.
27. Set a public hearing on Ordinance amending the Plumbing Code relating to the Uniform Plumbing Code and local amendments. Date and time: August 30, 1990 at 3:30 p.m.
28. Set a public hearing on Ordinance amending Ordinance 860911-W pursuant to the Land Development Code regarding plumbing, mechanical, and electrical fees. Date and time: August 16, 1990 at 4:30 p.m.

¶26 through ¶28 on Councilmember Carl-Mitchell's motion, Councilmember Epstein's second, 7-0 Vote.

43. (Addendum) Approved an amendment to the Coopers-Lybrand Contract for CIP Project Management of the City's computer upgrade and program support for the utility billing system.

On Councilmember Carl-Mitchell's motion, Mayor Cooke's second, 7-0 Vote.

44. (Emergency Item) Authorized and negotiated execution of a construction contract with Insituform Texark, Inc., 17988 Eason Avenue, Chesterfield, Missouri 63005, in the amount of \$247,000.00 for a cured resin lining emergency repair of a storm sewer located along Grooms Street from East 33rd Street to East 34th Street Alley.

On Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, 6-0 Vote, Councilmember Barnstone out of the room.

RECESS - Council recessed its meeting from 2:37 to 3:30 P.M. for its meeting as the Austin Housing Corporation Board of Directors.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

29. 3:00 P.M. - Public Hearing on an appeal by Ms. Dorothy Richter of the Planning Commission action on a site plan for Hyde Park Baptist Church, 3819 Speedway. Site Plan Case No. SP-89-0155c.

Postponed to August 9, 1990 at 5:00 P.M.

30. 3:30 P.M. - Public Hearing on an Amendment to Title XIII (Land Development Code) to require notice to be given to identify the lien holders when an application is received for a demolition or relocation permit.

Public hearing closed, no action taken, on Councilmember Barnstone's motion, Councilmember Nofziger's second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND CONSIDERATION OF ORDINANCESRecommended As Requested, by the Planning Commission

31. C14-90-0029 - RYDER TRUCK RENTAL, 8305 N. Lamar Blvd., Austin, Texas, by Barry Campbell, from "LI" to "CS". ORDINANCE
32. C14-90-0030 - TD REALTY, INC., 1503 W. Parmer Lane, Austin, Texas, by Graves, Dougherty, Hearon, from "SF-2" to "LO". ORDINANCE
33. C14-909-0032 - CITY OF AUSTIN, 1107 W. 45th Street, Austin, Texas, by Planning and Development, from "LO" to "SF-3". POSTPONED TO AUGUST 30, 1990

Recommended As Requested, With Conditions

34. C14-90-0031 - DOROTHY M. NALLEY, 9310-9328 Jollyville Road, by Grace Covenant Church, from "LO" to "GO". FIRST READING

ITEMS FROM COUNCIL

35. Authorized the City Manager to issue a Request for Proposals (RFP) for Lobbyist Services for the Texas Legislature (Legislative Subcommittee).

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

36. Consider waiving P.A.R.D. requirement relating to alcoholic beverages at recreation centers to allow the U.S. Postal Service employees to serve beer at their annual Columbus Day observance at the South Austin Recreation Center on October 8, 1990 (Mayor Pro Tem Charles Urdy).

Mayor Pro Tem Urdy announced this was pulled off the agenda because the problem had been solved.

37. Staff update on Architectural Barriers Removal Program (Mayor Pro Tem Charles Urdy).

A report was presented to Council.

38. Approved a license agreement between the First United Methodist Church and the City of Austin to allow the encroachment of brick paving, tree grates and irrigation system within the right-of-way of the 1200 block of Lavaca Street (Councilmember Smoot Carl-Mitchell).

On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

EXECUTIVE SESSION

Mayor Cooke announced that Council would go into Executive Session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

39. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Paving assessment cases and projects.

(b) Appeal by applicants for the Barton Creek P.U.D. to the Texas Water Commission.

RECESS - Council recessed its meeting from 5:10 to 6:05 for executive session.

At the conclusion of recess, Mayor Cooke announced no action would be taken on any items discussed in executive session.

The Council adjourned its meeting at 6:05 P.M.